

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States Courts
Southern District of Texas
FILED

SEP - 1 2021

Nathan Ochsnor, Clerk of Court

JOHNATHAN HUNT #560374

V.

CIVIL ACTION No. 4:21-CV-02746

DIRECTOR OF PAROLE, ET AL.

MOTION AND PETITION FOR EMERGENCY INJUNCTION
AND TEMPORARY RESTRAINING ORDER

COMES NOW, JOHNATHAN WAYNE HUNT PLAINTIFF IN 1983 CIVIL RIGHTS VIOLATION CLAIM AND PETITION THIS COURT ISSUE IMMEDIATE EMERGENCY RELIEF IN THE FORM OF INJUNCTION / TRO TO AID IN ADMINISTRATION OF JUDICIAL OUTCOME OF SOUGHT CLAIM.

CASE HISTORY

PLAINTIFF WAS SENTENCED TO A 25 YEAR SENTENCE 33 YEARS AGO. IN 2015 PLAINTIFF WAS RELEASED FROM INSTITUTIONAL CUS-

TODAY TO THE CUSTODY OF THE PAROLE DIVISION. IN 2019 PLAINTIFF WAS ARRESTED AND ORDERED TO PARTICIPATE IN A NINE (9) MONTH SUBSTANCE ABUSE TREATMENT PROGRAM. PETITIONER REFUSED SAID PROGRAM BECAUSE AT THE TIME PETITIONERS TIME SHEET PROVED HE HAD SERVED 132% OF HIS GIVEN SENTENCE AND BY LAW MUST BE RELEASED TO MANDATORY SUPERVISION AT 100% SO PETITIONER SOUGHT PAROLE REVOCATION.

THAT CASE WAS FILED IN A 2254 HABEAS CORPUS PETITION IN THIS DISTRICT: CASE NO. H-19-CV-4050. THAT CASE IS CURRENTLY CLOSED DUE TO AN APPEAL BEFORE THE FIFTH CIRCUIT IN NO. 20-20318

AS STATED ABOVE PETITIONER REFUSED SAFPF AND AFTER FORCING A PAROLE HEARING AND SECURING 3 PANEL VOTES FOR REVOCATION; AUSTIN BOARD OF PARDONS AND PAROLES REFUSED REVOCATION AND INSTEAD ORDERED PLACEMENT IN INTERMEDIATE SANCTIONING PROGRAM. PETITIONER REFUSED THAT PROGRAM BUT WAS RELEASED BACK TO PAROLE BEFORE HE COULD GET HEARING CHALLENGING I.S.F.

PETITIONER WAS RELEASED IN SEPT. 2020 AND BURIED MY MOTHER 10 DAYS LATER. AFTER I PUT MY MOTHER IN THE GROUND I REFUSED TO WEAR A MONITOR AND A WARRANT WAS ISSUED IN OCT. 2020.

WHILE DRIVING FROM WORK MAY 25, 2021 PETITIONER WAS ARRESTED AND ONCE AGAIN SOUGHT REVOCATION BUT WAS AGAIN ORDERED TO PARTICIPATE IN I.S.F UNTIL DISCHARGE OF SENTENCE IN OCT. 2021.

PETITIONER REFUSED TO PARTICIPATE IN I.S.F. PROGRAM AND WAS GIVEN ANOTHER RELOCATION HEARING ON 7-20-2021. AT THAT HEARING I WAS ONCE AGAIN REFUSED RELOCATION AND THAT PROMPTED FILING OF THIS CIVIL RIGHTS PROCEEDING.

VIOLATION OF CONSTITUTIONAL RIGHTS

THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE IS IN DELIBERATE VIOLATION OF PETITIONERS CONSTITUTIONAL RIGHT TO DUE PROCESS IN REFUSING TO ALLOW EARNED RELEASE TO MANDATORY SUPERVISION.

PETITIONER WAS SENTENCED IN 1989 TO A 25 YEAR SENTENCE FOR AUTO THEFT. THE 70TH LEGISLATURE LAWS GOVERN THAT SENTENCE AND DICTATE THAT ANY INMATE SENTENCED BETWEEN SEPT. 1987 AND SEPT. 1989 WOULD: EARN 1 DAY OF GOOD TIME AND 1/2 DAY WORK TIME FOR EVERY DAY OF FLAT TIME SERVED. ONCE FLAT TIME, GOOD TIME AND WORK TIME EQUAL 100% OF THE GIVEN SENTENCE THE INMATE MUST BE RELEASED TO MANDATORY SUPERVISION !!!

THIS PETITIONER HAS SERVED 24 YEARS 11 MONTHS FLAT TIME AND HAS EARNED 33 YEARS OF GOOD TIME AND APPROXIMATELY 14 YEARS OF WORK TIME. THAT ADDS UP TO 70 YEARS OF TIME THAT ONLY SERVES 1 PURPOSE EARN RELEASE FROM INCARCERATION. THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE HAS AND

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IS; STRATEGICALLY USING ITS PAROLE DIVISION TO DEPRIVE PETITIONER OF GETTING TO THE INSTITUTIONAL DIVISION AND MY EARNED EMINENT RELEASE

THIS PETITIONER IMPLORES THIS COURT ISSUE EMERGENCY INJUNCTION AND ORDER T.D.C.J. PAROLE BOARD REVOKE THIS PAROLE THAT PETITIONER HAS REFUSED REPEATEDLY

PETITIONER WOULD ALSO CALL TO THIS COURTS ATTENTION THAT THIS I.S.F. FACILITY IS AND HAS DELIBERATELY AND CONTINUOUSLY DENIED ACCESS TO COURTS.

ON THE DAY OF ARRIVAL PETITIONER PUT IN A REQUEST FORM FOR THE LAW LIBRARY. THE JOE KEGAN I.S.F. UNIT ORIENTATION HANDBOOK STATES: "SUFFICIENT SESSIONS WILL BE PROVIDED TO INSURE ALL OFFENDERS HAVE ACCESS TO LAW LIBRARY A MINIMUM OF 10 HOURS A WEEK. SINCE THIS PETITIONER HAS BEEN HERE HE HAS BEEN CONTINUALLY DENIED EVEN 1 HOUR IN A LAW LIBRARY TO THE TUNE OF APPROXIMATELY 170 DENIED HOURS. DENIED ACCESS TO ANY STATE LAW BOOKS; ANY FEDERAL LAW BOOKS, ZERO RULES OF COURT EVEN DENIED AN 11.07 FORM WITH THE LAW LIBRARIAN (FROM PAM LYNCHNER STATE SAIL) SENDING BACK MY REQUEST SAYING "JUSTIFICATION NEEDED FOR HABEAS CORPUS FORM" !!!

AFTER BEING REFUSED LAW LIBRARY TIME AND RESEARCH MATERIALS; I FILED GRIEVANCES: 3 MONTHS HAVE PASSED AND THEY HAVE NOT BEEN ANSWERED, EVEN THOUGH THEY ONLY HAD A 45 DAY PERIOD TO GET STEP 1 BACK.

PETITIONER FILED CIVIL RIGHTS CLAIM WHILE AT EAST TEXAS I.S.F. BECAUSE THEY TOO HAD NO LAW LIBRARY AND VIOLATED INMATES RIGHTS WITH IMPUNITY. THIS I.S.F. PRISON UNIT DICTATES A PATTERN OF DELIBERATE CIVIL LIBERTIES VIOLATIONS A CONCERNED EFFORT BETWEEN THE 2 DIVISIONS.

PETITIONER HAS BEEN DELIBERATELY PLACED WITH PSYCHOTIC, MEDICATED INMATES THAT WALK ALL NIGHT TALKING AND LAUGHING WITH THEMSELVES AND HAVE MADE DISRUPTION AN ART FORM. IT IS CRUEL AND UNUSUAL PUNISHMENT FOR PETITIONER TO EVEN TRY TO PETITION THIS COURT IN THE MIDST OF THIS INSANITY! WHEN PETITIONER GOT HERE THE MEDICAL DOCTOR PUT ME IN FOR TRANSFER TO LOAN SEALY HOSPITAL TO HAVE A COLONOSCOPY BECAUSE OF MY INTERNAL BLEEDING. HE CONFIDED A COUPLE OF MONTHS LATER THAT EVEN THOUGH HE PUT ME IN IT WOULD BE A MINIMUM OF 6 MONTHS WHICH DICTATES CONSPICUOUS DENIAL.

I PUT IN FOR ACCESS TO COURT TRANSFER AND EVEN THOUGH I HAVE DOCUMENTED VERIFIED ACTIVE CIVIL AND CRIMINAL CASES PENDING: HOUSTON 4:19-4050; NEW ORLEANS 20-20318; TYLER 6:20-CV-00272 :::: THE REQUEST CAME BACK DENIED WITH A BLATANT FABRICATION STATING: COURT ASSIGNED OR SENTENCED CAN'T RELOCATE! PETITIONER HAS NOT BEEN IN A COURT SINCE 1989 !!!

THIS PETITIONER BEGS THIS HONORABLE COURT RENDER IMMEDIATE AID TO INCLUDE :

- 1) ORDER BOARD OF PARDONS AND PAROLE TO IMMEDIATELY TERMINATE PAROLE.
- 2) IMMEDIATE TRANSFER TO SOAN SEALY HOSPITAL FOR ORDERED TEST.
- 3) IMMEDIATE TRANSFER TO A PRISON UNIT WITH FULL LAW LIBRARY
- 4) IMMEDIATE SEPERATION FROM MENTALLY ILL INMATES
- 5) DAILY RECREATION
- 6) IMMEDIATE ACCESS TO LEGAL RESEARCH MATERIAL HERE!

WILL THIS COURT PLEASE RENDER IMMEDIATE EMERGENCY ASSISTANCE?

Shanathan Hunt
8-30-2021

SHANATHAN HUNT # 560374
707 TOP STREET
HOUSTON TX. 77002

NATHAN HUNT # 560374
107 TOP STREET KEGAN
HOUSTON TX. 77002

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Nathan Ochser, Clerk of Court

UNITED STATES DISTRICT COURT CLERK
SOUTHERN DISTRICT OF TEXAS
POST OFFICE BOX 61010
HOUSTON TEXAS 77208

